

In re: Application of Daniel F. Goldstein
Serial No.: 10/679,639
Page 5 of 6

REMARKS

In response to the non-final Office Action mailed August 10, 2005 (hereinafter, the "Office Action"), Applicant respectfully requests entry of the following amendments.

In the Office Action, the Examiner has rejected claims 1-3 under 35 U.S.C. §102(b) as being anticipated by Yu et al and has also rejected claims 1-4 as being anticipated under 102(e) by Bingham et al. The Yu et al and Bingham et al references each disclose a series of lights which are normally off, a sensor which is activated on the occurrence of a predetermined event and which provides electrical energy causing the lighting to occur. As the Bingham reference discloses such systems are often used for perimeter lighting on properties often times for security purposes.

Applicant's system is used for a different reason and to be used in a different environment. Applicant's system is utilized for safety purposes to provide a low level of light to enable a person to have sufficient light to make his or her way from one room to another, for example, from a bedroom to a bathroom. Specifically, small lights are used to create a low level illuminated pathway leading, for example, to a bathroom from a persons bed. There is no general illumination which would wake up other inhabitants in a bedroom, but rather low level pathway lights which are for the sole purpose of creating mild visibility to enable a person to safely navigate to a location, most often a bathroom, without more than minimal disruption in a room.

Accordingly, the claims have been amended to distinguish Applicant's invention from the inventions of Bingham and Yu et al.

Claim 1 has been amended and now calls for a system for illuminating a specific area for safety purposes and requires this series of lights to be positioned in the proximity of a walking surface.

{WP266528;1}

In re: Application of Daniel F. Goldstein
Serial No.: 10/679,639
Page 6 of 6

Claim 2 is dependent upon Claim 1 and should be allowable as well.

Claim 3 has been amended to call for a safety illuminating system for interior use and which requires that the series of lights will create an illuminated pathway upon lighting.

Claim 4 is now directed to a pathway lighting system for interior safety purposes, where the lights are located adjacent to a path to be illuminated without illuminating the entire area.

Claim 5 is a new claim which calls for a system for providing minimal illumination to an area to enable danger-free human movement on a walking surface. The claim calls for a series of small lights positioned in close proximity to one another on the walking surface so as to provide sufficient light to avoid a fall.

Claim 6 has also been added and calls for a method of providing safety lights to enable danger-free walking in an otherwise dark room, wherein the string of small lights provides sufficient lighting to enable danger-free movement without brightly illuminating the entire room.

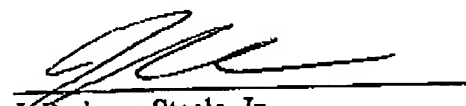
It is believed that the claims, as amended, now distinguish the instant invention over the prior art which is not concerned with providing a low level of light for safety purposes in a room so as not to provide general illumination which would light the entire area. This is a sought after condition that was not recognized by Bingham or Yu et al.

Although no fee is believed to be due, the Commissioner is hereby authorized to charge any underpayment to Deposit Account No. 50-0951.

Respectfully submitted,

AKERMAN SENTERFITT

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(WP266528;1)